

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A01-0333--CV (JKS)
 "ELISHA SHEPHERD V MILTON J. JAKEWAY ET AL"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable James K. Singleton, U.S. District Judge
 Magistrate Judge:
 Referral Rule:
 Filed: 11/07/01
 Closed: NO

Jurisdiction: (3) Federal Question (US Govt not a Party)
 PLF Diversity:
 DEF Diversity:

Nature of Suit: (440) Other Civil Rights
 403 US 388
 Origin: (1) Original Proceeding
 Demand:
 Filing fee: Paid \$150.00 on 11/07/01 receipt # 00116191
 Trial by: Jury

Parties of Record:

Counsel of Record:

PLF 1.1 SHEPHERD, ELISHA

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Document #	Filed	Docket text
1 - 1	11/07/01	Complaint filed; Summons issued.
1 - 2	11/07/01	PLF 1 Jury Demand.
2 - 1	11/28/01	USA Notice of error in summons.
3 - 1	01/14/02	DEF 1 Answer to Complaint.
4 - 1	01/15/02	JKS Minute Order re: initial case stat rpt/case S&P; Rule 16(b) rpt is due w/i 21 days. cc: cns1
5 - 1	01/17/02	DEF 1 Certification that DEF 1 was acting in scope of employment as employee of USA.
6 - 1	01/17/02	DEF 1 Notice of substitution.
6 - 2	01/17/02	DEF 1 motion to amend caption.
7 - 1	01/17/02	DEF 1 motion to dismiss.
8 - 1	02/04/02	PLF 1 (conditional) non-opposition to DEF 1 motion to dismiss (7-1).
9 - 1	02/05/02	DEF 1 Initial Case Status Report and discovery plan.
10 - 1	02/08/02	JKS Scheduling and Planning Order setting pretrial deadlines: Original discovery 12/31/02; Dispositive motions deadline 02/14/03; Estimate of TBJ 4 days. cc: cns1
11 - 1	02/11/02	JKS Minute Order granting motion to amend caption (6-2), granted w/out prejudice motion to dismiss (7-1). cc: cns1
12 - 1	05/10/02	DEF 1 Stipulation for protective order.
12 - 2	05/17/02	JKS Order granting stipulation for protective order (12-1). cc: cns1
13 - 1	10/31/02	DEF 1 Witness List.

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14 - 1	11/06/02	PLF 1 Attorney Appearance of LeRoy E. DeVeaux as co-cns1.
15 - 1	11/15/02	Stipulation for amendment w/att proposed 1st amended cmplt.
16 - 1	11/19/02	JKS Order granting stip for amendment of plf's cmplt (15-1); def's ans due 12/02/02. cc: cns1
17 - 1	11/19/02	PLF 1 Complaint (Amended).
18 - 1	12/04/02	DEF 1-2 Answer to Amended Complaint.
19 - 1	12/04/02	PLF 1 Errata to first amended complaint w/att amended complaint.
20 - 1	01/21/03	PLF 1; DEF 1-2 motion (joint) for extension of discovery deadlines; close of discovery to 05/01/03; dispositive motions to 07/01/03.
20 - 2	01/23/03	JKS Order granting mot (joint) for ext of disc ddlns (20-1) & setting the following dates: Disc to close 05/01/03; Disp mots ddln 07/01/03. cc: cns1
21 - 1	02/12/03	PLF 1 motion for summary judgment w/att memo & exhs.
22 - 1	02/27/03	DEF 1-2 Unopposed motion for extension of time to 03/14/03 to oppose plaintiff's motion for summary judgment.
23 - 1	02/28/03	JWS Order granting unopposed mot for ext of time to 03/14/03 to oppose plf's mot for sj (22-1). cc: cns1
24 - 1	03/17/03	DEF 1-2 motion for extension of time until 3/24/03 to file opposition to motion for summary judgment.
25 - 1	03/19/03	JKS Order granting motion for extension of time until 3/24/03 to file opposition to motion for SJ (24-1). cc: cns1
26 - 1	03/19/03	PLF 1 motion to quash depositions of Major General Lovelace & Lieutenant Colonel Mulcahy.
27 - 1	03/24/03	DEF 1-2 opposition to PLF 1 motion for summary judgment (21-1) w/att exhs.
27 - 2	03/24/03	DEF 1-2 motion (cross) for summary judgment w/att exhs.
28 - 1	03/28/03	PLF 1 oppo PLF 1 mot to quash depos of Major General Lovelace & Lieutenant Colonel Mulcahy (26-1).
29 - 1	04/07/03	DEF 1-2 reply to oppo to PLF 1 mot to quash depos of Major General Lovelace & Lieutenant Colonel Mulcahy (26-1).
30 - 1	04/08/03	PLF 1 motion (petition) for an order to show cause why Lt. Colonel Peter Mulcahy a witness should not be held in contempt of court for failure to obey a subpoena for deposition w/att memo & exhs.
31 - 1	04/08/03	PLF 1 unopposed motion for extension of time to 04/18/03 to file reply to motion for summary judgment and opposition to cross-motion for summary judgment. cc: cns1

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31 - 2	04/09/03	Order granting unopposed mot for ext of time to 04/18/03 to file reply to motion for sj and oppo to cross-mot for sj (31-1). cc: cns1
32 - 1	04/09/03	JKS Minute Order denying mot (pet) for an order to show cause why Lt. Colonel Peter Mulcahy a (30-1); granting mot to quash depos of Major General Lovelace & Lieutenant Colonel Mu (26-1). cc: cns1
33 - 1	04/15/03	PLF 1 reply to oppo to PLF 1 mot for sj (21-1) w/att exhs.
33 - 2	04/15/03	PLF 1 oppo to DEF 1-2 mot (cross) for sj (27-2) w/att exhs.
34 - 1	04/21/03	DEF 2 Unopposed motion for extension of time to reply to plaintiff's opposition to cross motion for summary judgment.
34 - 2	04/22/03	Order granting unopposed mot for ext of time to reply to plf's oppo (34-1); reply due 04/30/03. cc: cns1
35 - 1	04/23/03	DEF 1-2 oppo to PLF 1 mot (pet) for an order to show cause why Lt. Colonel Peter Mulcahy a wit should not be held in contempt of court for failure to obey a subpoena for depo (30-1).
36 - 1	04/30/03	DEF 1-2 motion for extension of time to 05/06/03 to reply to cross-motion for summary judgment.
36 - 2	05/01/03	JKS Order granting mot for ext of time to 05/06/03 to reply to cross-mot for sj (36-1). cc: cns1
37 - 1	05/06/03	DEF 1-2 reply to oppo to DEF 1-2 motion (cross) for sj (27-2).
38 - 1	05/14/03	PLF 1 Request for Oral Argument re: PLF 1 motion for summary judgment (21-1), DEF 1-2 motion (cross) for summary judgment (27-2).
39 - 1	08/08/03	JKS Order denying motion for summary judgment (21-1); granting in part and denying in part motion (cross) for summary judgment (27-2). Remaining for trial are Shepherd's Bivens claim against Jakeway and Shepherd's IIED claim against the Government cc: cns1
40 - 1	08/13/03	JKS Order re: certification of readiness for trial; parties to certify or file a report within 15 days from the date of this order. cc:cns1
41 - 1	08/27/03	PLF 1 Report pursuant to crt's ord dated 8/12/03.
42 - 1	09/11/03	JKS Order setting the following dates: Disc to close 12/31/03; FPTC 05/13/04 at 9:00 a.m.; PT Docs due due 03/12/04; Trial date 06/07/04 at 9:00 a.m. cc: cns1
43 - 1	02/25/04	JKS Minute Order vacating FPTC previously set for 05/13/04 and resetting to 05/12/04 at 4:00 p.m. cc: cns1
44 - 1	03/05/04	DEF 1-2 motion to exclude testimony of Bruce Smith w/att exh.
45 - 1	03/05/04	DEF 1-2 motion (expedited) to reschedule trial date and pretrial calendar.
46 - 1	03/12/04	JKS Minute Order granting mot (expedited) to reschedule trial date and Pt calendar (45-1); FPTC previously set for 05/12/04 is vacated and reset for 10/01/04 at 4:00 p.m.; TBJ previously set for 06/07/04 is

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		vacated and reset for 11/01/04 at 9:00 a.m.; pt docs are due 07/30/04. cc: cns1
47 - 1	03/15/04	PLF 1 opposition to DEF 1-2 motion to exclude testimony of Bruce Smith (44-1).
48 - 1	03/19/04	DEF 1-2 reply to opposition to DEF 1-2 motion to exclude testimony of Bruce Smith (44-1).
49 - 1	03/25/04	JKS Minute Order setting o/a on mot to exclude testimony on 4/7/04 at 9:00 a.m.. cc: cns1
50 - 1	04/07/04	PLF 1 Notice of withdraw of Dr. Bruce Smith as a witness.
50 - 2	04/07/04	PLF 1 motion (request) for status conference regarding deadlines.
50 - 3	04/07/04	Clerk's Notice withdrawing mot to exclude testimony of Bruce Smith (44-1).
51 - 1	04/07/04	JKS Court Minutes [ECR: Caroline Edmiston] O/A on def's mot to exclude test of Dr. Bruce Smith Held 04/07/04; crt directed govt cns1 to notify crt re: reassignment to another judge; if no reassignment is req o/a to cont.
52 - 1	04/16/04	JKS Minute Order setting a stat conf for 05/27/04 at 10:00 a.m. cc: cns1
53 - 1	05/27/04	JKS Court Minutes [ECR: Denali Elmore] Stat conf re: ddlns Held 05/27/04; stat conf cont to 06/18/04 at 9:00 a.m.; parties to prepare a proposed amended order setting date for a FPTC and ddlns for PT docs for the next hrg. cc: cns1
54 - 1	06/18/04	JKS Court Minutes [ECR: Linda Christensen] re: cont stat conf held 6/18/04; plf cns1 to submit joint prop S&P ord & stip protective ord. cc: cns1
55 - 1	06/23/04	Stipulation to enter amended order setting date for final pretrial conference and deadlines for pretrial documents w/att amended order.
55 - 2	06/24/04	JKS Order approving stip to enter amended ord setting date for FPTC & ddln for pretrial docs (55-1). cc: cns1
56 - 1	06/24/04	JKS Amended Order setting FPTC on 1/24/05 at 4:00 p.m.; disc to close 09/17/04; pre-trial docs, exhs & exh list due 10/22/04; TBJ set date 03/07/05 at 9:00 a.m.. cc: cns1, JC
57 - 1	06/24/04	PLF 1 Witness List.
58 - 1	06/28/04	DEF 1-2 Witness List.
59 - 1	07/16/04	PLF 1; DEF 1-2 Stipulation for protective order: re videotape.
60 - 1	07/19/04	JKS Order granting stip for protective order: re videotape (59-1). cc: cns1
61 - 1	07/23/04	PLF 1 Notice & receipt regarding copy of tape re: protective order.
62 - 1	08/05/04	PLF 1 Address Change Notice.

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63 - 1	08/13/04	DEF 1-2 motion on shortened time for consideration of mot for psychiatric exam & memo in support.
64 - 1	08/13/04	DEF 1-2 motion for psychiatric examination in support.
65 - 1	08/16/04	JKS Minute Order granting motion on shortened time for consideration of mot for psychiatric exam & memo (63-1); pltf's oppo to def's mot for psychiatric exam (64-1) due 8/23/04; def's reply due 8/30/04. cc: cns1
66 - 1	08/17/04	DEF 1-2 motion on shortened time for reconsideration of dkt #65 w/att exhs.
66 - 2	08/17/04	JKS Order denying as moot motion on shortened time for reconsideration of dkt #65 (66-1). cc: cns1
67 - 1	08/17/04	PLF 1 motion & memo to vacate ex parte order at dkt #65 w/att exhs.
67 - 2	08/17/04	PLF 1 motion for enlargement of time to oppos def's mot to compel civil rule 35 exam w/att exhs.
68 - 1	08/17/04	DEF 1-2 Amended Affidavit of svc re: DEF 1-2 motion on shortened time for reconsideration of dkt #65 (66-1).
69 - 1	08/25/04	DEF 2 opposition to PLF 1 motion to vacate ex parte order at dkt #65 (67-1), PLF 1 motion for enlargement of time to oppos def's mot to compel civil rule 35 exam (67-2).
70 - 1	08/26/04	JKS Minute Order denying motion & memo to vacate ex parte order at dkt #65 (67-1); granting motion for enlargement of time to oppos def's mot to compel civil rule 35 exa (67-2); plf response to mot for psychiatric exam due 9/3/04; govt reply due 9/10/04. cc: cns1
71 - 1	09/02/04	DEF 2 Notice of amendment of motion for psychological evaluation.
72 - 1	09/03/04	PLF 1 opposition to DEF 1-2 motion for psychiatric examination in support (64-1).
73 - 1	09/10/04	DEF 1-2 reply to opposition to DEF 1-2 motion for psychiatric examination in support (64-1).
74 - 1	09/15/04	DEF 1-2 motion to reschedule pretrial calendar w/att exh.
75 - 1	09/15/04	DEF 1-2 motion for consideration on shortened time re 74-1.
76 - 1	09/16/04	JKS Minute Order granting motion for consideration on shortened time re 74-1 (75-1); re hrg on defs mot to reschedule pretrial cal (74-1) & defs mot for psychiatric exam (64-1) set for 9/16/04 at 1:30 p.m. cc: cns1
77 - 1	09/17/04	JKS Court Minutes [ECR: Elisa Singleton] re: Hrg on Mot to Reschedule Pretrial Calendar & Mot for Psyc Exam held 9/16/04; granting motion for psychiatric examination (64-1), motion to reschedule pretrial calendar (74-1); parties to file a stipulated order re resched date by 9/22/04. cc: cns1
78 - 1	09/30/04	DEF 1-2 Status Report.

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79 - 1	10/07/04	PLF 1 Address Change Notice of cnsl.
80 - 1	10/12/04	JKS Minute Order re parties to draft a stipulated order re the psychological exam at issue to be submitted by defs by 10/15/04. cc: cnsl
81 - 1	10/15/04	DEF 1-2 Notice of lodging order.
82 - 1	10/22/04	JKS Order re: psychological exam to be scheduled; pre-trial ddlns & trial date @ dkt 56 to be vacated; parties will req S&P conf to set new ddlns. cc: cnsl, JC
83 - 1	03/10/05	DEF 1-2 Joint Status Report.
84 - 1	04/04/05	JKS Order re parties to file settl memos as directed under seal w/Judge von der Heydt by 4/13/05. cc: cnsl, Judge von der Heydt
85 - 1	04/11/05	DEF 2 Expedited Motion for Extension of Time to File Settlement Memorandum
85 - 2	04/12/05	JAV Order granting expedited Motion for Extension of Time until 4/20/05 to File Settlement Memorandum (85-1). cc: cnsl, Judge Singleton
86 - 1	04/19/05	DEF 2 expedited motion for Two Day Extension of Time to File Settlement Memorandum.
86 - 2	04/20/05	JAV Order granting motion expedited for Two Day Extension of Time to File Settlement Memorandum (86-1). cc: cnsl, Judge Singleton
87 - 1	04/27/05	DEF 1-2 Notice of parties availability for settlement conference on 5/24,25 & 26.
88 - 1	04/29/05	JAV Order scheduling Settlement Conference on 5/25/05 at 9:30 a.m. cc: cnsl
89 - 1	05/26/05	JAV Order re Settlement; settlement not possible at this time. cc: cnsl, Judge Singleton
90 - 1	06/21/05	JKS Order re: certification of readiness for trial; parties to certify or file a report within 15 days from the date of this order. cc:cnsl
91 - 1	07/06/05	DEF 1-2 Status Report re: crt's order at doc #90 re parties not able to certify case is ready for trial; parties request that discovery be extended until 9/2/05.
92 - 1	07/11/05	JKS Minute Order that an updated status rpt due by 10/3/05; setting the following dates: Discovery extended to 09/02/05. cc: cnsl
93 - 1	10/03/05	PLF 1 Status Report.
94 - 1	10/03/05	JKS Minute Order that further stat rpt re certifying case rdy for trial due by 10/24/05. cc: cnsl
95 - 1	10/24/05	PLF 1 Status Report.
96 - 1	10/27/05	JKS Minute Order setting the following dates: Estimate of trial 6 days; Trial date 05/09/06 at 9:00. cc: cnsl

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97 - 1	11/03/05	JWS Order setting the following dates: FPTC set for 05/01/06 at 1:30 p.m.; TBJ set for 05/09/06; at 9:00 a.m.; Exhibits due 01/03/06. cc: cns1, JC
98 - 1	11/28/05	DEF 1-2 motion for ext of time of certain pretrial filing deadlines.
99 - 1	11/30/05	JKS Minute Order granting mot for ext of time of certain pretrial filing ddlns (98-1); 1st set of pretrial docs due 1/10/06; 1st suppl trial brf due 1/17/06. cc: cns1